

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLES LANGONE, as FUND MANAGER )  
of the NEW ENGLAND TEAMSTERS AND )  
TRUCKING INDUSTRY PENSION FUND )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
EAGLE GRAPHICS, INC and )  
JOSEPH BENDER, in his capacity as President )  
of Eagle Graphics, Inc. )  
 )  
Defendants, )  
 )

C.A. No. 04-12509 DPW

**MOTION OF PLAINTIFF FOR SUMMARY JUDGMENT**

NOW COMES the Plaintiff, Charles Langone, as Fund Manager for the New England Teamsters and Trucking Industry Pension Fund and moves this court pursuant to Rule 56 of the Federal Rule of Civil Procedure to enter a judgment in favor of the Plaintiff on its Complaint against Defendant Eagle Graphics, Inc. in the above captioned matter. The Fund relies for this motion upon the attached Memorandum of Law and Affidavits of Charles Langone and Catherine M. Campbell.

Dated: March 13, 2006

Respectfully submitted,

/S/ Catherine M. Campbell  
Catherine M. Campbell  
BBO #549397  
FEINBERG, CAMPBELL & ZACK, P.C.  
177 Milk Street  
Boston, MA 02109  
(617) 338-1976

Certificate of Service

I, Catherine M. Campbell, do hereby certify that on this date, I served the Motion of Plaintiff for Summary Judgment, Memo in Support, Affidavits and Statement of Undisputed Material Facts in Support of Motion by first-class mail upon a copy of the foregoing to be mailed this day by U.S. first-class mail to Laurence Donoghue, Esq., Morgan, Brown & Joy, LLP, 200 State Street, 11th Floor, Boston, MA 02109-2605.

Dated: March 13, 2006

/S/ Catherine M. Campbell  
Catherine M. Campbell

Certificate of Local Rule 7.1 Conference

I, Catherine M. Campbell, counsel for Plaintiff Charles Langone in the above-captioned matter, hereby certify that I have attempted to confer with Laurence Donoghue, Esq., Morgan, Brown & Joy, LLP, 200 State Street, 11th Floor, Boston, MA 02109-2605.

Dated: March 13, 2006

/S/ Catherine M. Campbell

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**JUDGMENT**

Now, upon Motion of Plaintiff demonstrating that Defendant Eagle Graphics, Inc. owes Plaintiff the principal sum of \$152,215.00 for withdrawal liability, \$15,275.78 in interest charges, \$30,443.00 in liquidated damages and \$31,603.84 in attorneys' fees and costs, it is hereby:

ORDERED, ADJUDGED AND DECREED that Plaintiff recover from Eagle Graphics, Inc. the sum of \$229,537.62.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge, U.S. District Court